

**BOARD OF SELECTMEN MEETING
MONDAY, MAY 4, 2015
6:30PM AT TOWN OFFICE BUILDING
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

PRESENT: Chairman Robert W. Russell (presiding); Selectmen Robert J. Boilard and Susan C. Bunnell; Interim Town Administrator Thomas Sullivan and Candace Ouillette Gaumond, Administrative Assistant to the TA/BOS.

EXECUTIVE SESSION

To comply with the provisions of any general or special law requirements; and to conduct strategy sessions in preparation for contract negotiations with non-union personnel

Chairman Russell opened the Selectmen's meeting for May 4, 2015. A motion was made to go into Executive Session.

MOTIONS: Made (Boilard) and seconded (Bunnell) to go into executive session to comply with the provisions of any general or special law requirements; and to conduct strategy sessions in preparation for contract negotiations with non-union personnel; and upon conclusion, return to general session. The motion was approved by each Selectman voting affirmatively in a roll call vote. (Russell, yes, Boilard, yes, and Bunnell, yes.) Approved 3-0.

PLEDGE OF ALLEGIANCE

The Board of Selectmen returned from Executive Session at 6:57pm. The general session of the meeting commenced at 7:00pm. Chairman Russell welcomed all in attendance. He then asked all to join him and the Selectmen in saying the Pledge of Allegiance.

APPOINTMENTS WITH THE BOARD

Ratification of Police Chief Contract

Chief Roger Tucker joined the Selectmen at the front of the room at Chairman Russell's request. Chairman Russell announced that the Selectmen approved, and are ratifying the Chief's contract for employment. He also praised the Chief for his work in the Police Department. Chairman Russell pointed out that there is a tremendous increase in morale at the Wilbraham Police Department as result of the Chief's good work. A motion was made. All parties signed the Police Chief Employment Agreement.

MOTION: Made (Boilard) and seconded (Bunnell) to ratify the Chief of Police Employment Agreement between the Town of Wilbraham and Roger W. Tucker, dated May 4, 2015; effective January 1, 2015 to December 31, 2017. Approved 3-0.

Materials referenced: Chief of Police Employment Agreement between the Town of Wilbraham and Roger W. Tucker, dated May 4, 2015, as submitted by H. Dane, Human Resource Coordinator.

Public Hearing: Petition to Amend Fountain Park Use Guidelines

(Chairman Russell had the Board attend to another matter on the agenda until 7:10pm, which was the time posted for this public hearing.) At 7:10pm, Chairman Russell invited Patrick Brady, President, and Tracey Plantier, Director, from the Wilbraham Nature and Cultural Center, Inc. (WNCC) to join the Selectmen for the discussion. Chairman Russell official opened the hearing relative to a petition to change Fountain Park's Use Guidelines. Chairman Russell handed the meeting over to Selectman Bunnell, liaison to the WNCC. Selectman Bunnell informed that there are three separate issues around Fountain Park. She stated that first; there is an Article on the Warrant for Town Meeting and a ballot question that seeks to know if residents would allow taxpayers' monies, by way of Community Preservation Act (CPA) funding, to go towards projects at Fountain Park. Selectman Bunnell explained that this question lies under the purveyor of the Selectmen. However, for purposes of clarity and transparency, the Board of Selectmen brought the matter before Town Meeting to seek clarity as to whether it's appropriate to use CPA funds to benefit Fountain Park.

Selectman Bunnell then explained that the issue before the Board tonight is relative to Fountain Park Use Guidelines. Fountain Park's Use Guidelines were made before the public record. The guidelines are included in the report of the Town Meeting of 1995. However, the Use Guidelines are not aligned with all facets which the Park is intended to be managed. The Guidelines will be reviewed. The Board has received input from the state about the Use Guidelines. The Board of Selectmen will review the Use Guidelines.

The third issue is not really on the table. The third issue pertains to the possibility of any interaction between the Senior Center and Fountain Park. Selectman Bunnell clarified that this issue is not before the Board tonight. She further clarified that this particular issue would require multiple acts of the Legislature and multiple Town Meeting votes in order to move in that direction.

Ms. Plantier shared with the Selectmen and audience that she got involved with Fountain Park about four years ago as a volunteer. She attended a meeting of the WNCC and was asked to join the Board. Ms. Plantier informed that she has been on the WNCC Board of Directors for about two and half years. She explained that the Fountain Park Use Guidelines were an old draft from 1995. The Guidelines were created before Fountain Park even had an experience. She stated that the people who drafted up the Guidelines did the best they could at the time.

Ms. Plantier further explained that this is a unique model. Fountain Park is a private property, which is opened to the public; and managed by a Board of Directors from the Wilbraham Nature and Cultural Center, Inc. Recently, the Directors examined the old draft Guidelines. Some members were surprised to learn that the Use Guidelines even existed. The Use Guidelines were compared to the current experience at the Park. She provided an example, such as the Use Guidelines stated, "no camping" at the Park. For the last two years, Ms. Plantier explained that participants in the Cancer Relay for Life event camped out at night and walked all night to raise monies for cancer. In order to make sure the Use Guidelines are up to date for today, the Directors really looked at what happens at Fountain Park. Additionally, the Directors wanted to make it really simple to manage the park

Chairman Russell opened the public hearing to the audience for public input. Charles Marsman, of 1097 Stony Hill Road, stated that the current Guidelines reference a concern for hunting and fishing. There are too many accidents. For this reason, Mr. Marsman advocated that the language remain in the Guidelines to include the section about hunting.

Elaine Gurnick stated that she wanted to speak on behalf of dogs. She noted that there is a sign at Fountain Park that reads, "dogs have to be leashed at all times." She stated that Fountain Park is a wonderful environment for people with dogs, who can be off their leashes because the dogs get exercise they wouldn't normally get. Ms. Gurnick informed that she has been bringing her puppy to Fountain Park for nine years. She commented that she is not alone. Everyone who dog walks at Fountain Park comes frequently. Over the nine years, Ms. Gurnick claims that there has been a decrease in amount of vandalism and car tire tracks cutting up the grass. Dogs and their walkers are a big benefit to the Town by being present at Fountain Park. She stated that walkers with dogs go to Fountain Park all year round. It's really a community builder for people. According to Ms. Gurnick, when you have a dog you have a baby. All the dog walkers are responsible and clean up after their dogs. She further added that the dog walkers have raised money for Fountain Park. She informed that the dog walkers have "poop parties," where the dog walkers pick up all the dog feces in the Park. The dog walkers also help tend the gardens; and are good citizens in the Park.

Donald Rostowski, of 19 Craigwood Terrace, informed that he often mows the lawn at Fountain Park. According to Mr. Rostowski, he is one of the original founders of the Park. He stated that he loves dogs. However, he has seen a lot of incidents where dogs bite people and tear people's coats. He verbally expressed that unleashed dogs are a safety issue for handicapped people. He claimed to see a German Shepard chase kids at the Park. He suggested that there be an enclosed dog park similar to East Longmeadow's or Westfield's dog parks. Mr. Rostowski stated that he would not have donated his time to the Park, originally, if he had known these issues were going to start. Fountain Park was designed to put in a cultural center. According to Mr. Rostowski, three years ago everything changed at Fountain Park. Again, he claimed that he would have never donated money to the Park, if he had known how the Park would turn out. Mr. Rostowski suggested that a fenced in area be created so the dogs can have an enclosed area to run around. He supports the dogs at Fountain Park but they should be in a fenced-in area.

James Zlody, of 25 Tinkham Glen, stated that the dog walkers have been very good the last few years at policing themselves. He further added that if the dog walkers see aggressive dogs, they will address the dog owner because an aggressive dog is presenting an issue of danger. In such situations, the dog owner of the aggressive dog goes along with what is requested. Mr. Zlody expressed that if a dog area is fenced, then the rest of the Park is off limits. According to Mr. Zlody, it is the dog owners that walk through and help maintain the Park. He further explained that he has taken his dog to the dog park at East Longmeadow, which is an enclosed area. At that park, the dogs tend to pack more and the little dogs are picked on. Dogs don't pack in a large area. The large area keeps dogs happy.

Deborah Reavey, of 270 Stony Hill Road, mentioned that she hears the music during the summer concerts. However, if the Park begins to have regularly events, she is not sure she wants to hear music every weekend or any other type events going on. She expressed that she is nervous about change; and looks out on the Park every day. She expressed that she does not want to hear noise three nights a week. Ms. Reavey mentioned that her grandson was bite in the face by a dog. She stated that there is a leash law in Town; and it should be enforced.

Mike Zowski informed that he has been bringing his dog to the Park for three years now. According to Mr. Zowski, he has been to the Park over a thousand times. He takes his dogs twice a day. He feels that it has enhanced the quality of his life. Mr. Zowski stated that he has met many dog owners at Fountain Park. The Park is open from 6:00am to 9:00pm. He claimed to meet new people from Wilbraham and other local communities. He mentioned that there have been some exceptions where dogs harass people. He stated that dog bites are inevitably going to happen with lose dogs. However, after the last few years, the dog owners have been more reactive to dogs hurting or bringing harm to people. Mr. Zowski stated that there has not been a case in the last ten years of this occurring at Fountain Park. The dog walkers at Fountain Park are very responsible and pick up after their dogs. He further added that the policing situation at Fountain Park is unique. When dogs are off their leashes, it is the dog owners' responsibilities.

Mary Swanson, of 7 Pheasant Farm Road, advocated to have it included in the Guidelines that dogs off leashes are not allowed 100 feet within a residential home. She doesn't mind the dogs being off leashes but she does not want the dogs near residential homes that abut the Park. Ms. Swanson stated that the dogs, who are at the Park, are not aggressive. However, the owners do not have control of the dogs.

Michael Swanson, of 7 Pheasant Farm Road, suggested the Park be renamed Fountain Dog Park. He stated that the dogs do chase people at the Park and it is an issue. Nonetheless, Mr. Swanson wanted to discuss the section relative to special events being only three and half days. He wondered if events can go longer at Fountain Park than three and half days. Mr. Swanson expressed that he does not want to see a Big E festival going for two weeks at Fountain Park. He feels that the language, "three and half days" for an event is a good balance. Mr. Swanson also mentioned that the Use Guidelines limited alcohol to beer and wine. He thinks that proposing alcohol seems too much.

Ms. Plantier responded to Mr. Swanson about the proposed Use Guidelines. She informed that the Directors have no intention of holding long, running events at Fountain Park. She said that last year, there was a wedding held at Fountain Park. The set up was done on a Thursday night. The wedding took place on Saturday, and breakdown of the event did not occur until Monday. Mr. Swanson clarified that the Use Guidelines states, "three and half days of duration," relative to events. He informed that the set and breakdown of an event is not in violation of the Use Guidelines.

Jay Taylor, of 5 Rochford Drive, informed that the Park is under a 501c3 non-profit organization status, which is a legal entity. He wanted to know who decides what the Use Guidelines are. He further added that the Guidelines are designed to preserve the Park as a public park. Mr. Taylor feels that there is a move away from this concept. He does not support that. Mr. Taylor informed that when a wedding was held at Fountain Park, the Park was closed off to Wilbraham residents. Residents could not use the Park, even if they were no where near the wedding. He mentioned that he discussed this issue with a Director of the WNCC but no meeting happened to discuss the matter. Mr. Taylor asked who has the authority to decide that the Park is fully closed for special events. If private property, do you have the right to do whatever you wish? Mr. Taylor thinks that there is a potential to eliminate specific functions of the Park. He indicated that Section 3 of the Use Guidelines calls for the "protection of wildlife and the environment in the Park and shall issue permits mindful of the impact on the ecosystem." Furthermore, Mr. Taylor

felt that if taxpayers' monies, via Community Preservation Act (CPA) funding, go towards Fountain Park, then Fountain Park can not be closed off to the public to hold an event.

Thomas Mitchell, of 1093 Stony Hill Road, informed that he is an abutter to the Park. He often walked, cross country skied and walked his dog at the Park. He mentioned that he has not had a dog for over thirty years. Mr. Mitchell shared that he does not go to Fountain Park anymore. He pointed out that most people are cautious about dogs being off leashes. However, the dog walkers will put leashes on their dogs when people come near. Yet, dogs are running loose. Fountain Park is a dog park.

John Broderick, of 1220 Stony Hill Road, identified three big issues at Fountain Park. He informed that when he used to ride his bike through Fountain Park on the dirt road, dogs would run up to him. Mr. Broderick stated that one person attacked by a dog is one person too many. The second issue is dog waste. He shared that he used to bring the girl scouts over to the Park. There was dog waste around the power lines. Mr. Broderick said that dogs under control mean that the dogs are on leashes. This is what the Town by law means.

Mr. Broderick stated that he appreciated that the question relative to CPA funding was before Town Meeting. He stated that any changes to the Use Guidelines should come before Town Meeting. He also suggested holding public forums or conducting surveys beforehand to see what the public wants at the Park prior to making any changes to the Use Guidelines should occur rather than what is happening now. He questioned whether WNCC should be following open meeting laws. He suggested taking in consideration the human elements not the dogs. Dogs who are going to Fountain Park don't write checks. It is the people who go to Fountain Park that will write checks. Mr. Broderick pledged to write a \$100 check if the WNCC comes up with Use Guidelines that he agrees with and works.

Peter Manolakis, Chairman of Community Preservation Committee, informed that the original Use Guidelines do not allow use of any taxpayers' monies to be used towards Fountain Park. He noted that the Park is managed by a private organization. He further added that the public can not access the Park even though it states in the current Use Guidelines that the public can go to the Park anytime. If it was really our Park the dog officer can take care of the problem; however, he can't because it's private land. The dog officer can't issue tickets. Mr. Manolakis stated that this is not our Park; it's their (WNCC Directors) Park; and they want our tax monies to be used. He asked what is in it for us. This is a private company. He further wondered who is going to enforce all the rules. Mr. Manolakis claimed that the Park rules are not enforced now. For instance, when the wedding was at Fountain Park alcohol was served; and at the concerts everybody is drinking alcohol. However, no alcohol is allowed. There are signs at the Park stating no alcohol is allowed. Mr. Manolakis wanted to know who is going to enforce the rules?

Mr. Broderick commented that a public park legally only exists for the benefit of the residents. Not quite clear if the WNCC Directors are subject to open meeting laws.

Phyllis Brand, of 13 Rochford Drive, advocated that the Use Guidelines include the hunting and fishing section. She expressed that she would not be comfortable without that section in the Use Guidelines. She commented about camping being prohibited but allowed with special permit. She wondered why the whole Use Guidelines have to be changed. Ms. Plantier explained that the WNCC Directors looked at the whole set of rules. Ms. Brand asked what events are coming forward. Ms. Plantier stated that there are no events in mind. She further added that the Board of Trustees is running the Park in the best of interest of the people. Ms. Plantier informed that there are 145 acres at Fountain Park; and only five volunteers to clean up the Park. She added that the Directors are doing their best to reflect what is occurring at the Park. According to Ms. Plantier, there will probably not be two week events. Ms. Brand commented that if it's not in the Guidelines that you can't hold a two week event at the Park then you probably could hold a two week event. Ms. Plantier claimed that the WNCC Directors are sensitive to the neighborhood and are talking to folks. She stated that the Directors want to do what's best for the community. She informed that if someone sees an omission, we are not trying to get away from something. Ms. Brand stated that we have to ask because the Use Guidelines are very different. She advocated that the language not in the proposed Use Guidelines be put back into the Use Guidelines. Ms. Plantier responded that the Directors can't put things back in there.

Mr. Swanson mentioned that there has been a significant decrease in deer at the Park. There has been an impact on the wildlife. Mr. Rostowski asked who is taking control. He expressed wanting to keep control under the Selectmen and the residents of Wilbraham. He emphasized wanting to see the control under the Town via the Selectmen.

Chairman Russell commented that he can not envision anything taking place at the Park that would not require a permit to be issued by the Selectmen. A resident in the audience commented that if it's not in writing it is not good enough.

Ms. Reavey asked if the Town could be sued if an unleashed dog at the Park bit someone. Ms. Plantier stated no; and provided examples of other communities.

Michael Germani, of 3 Pheasant Farm Road, neighbors of the Swanson's, commented that Fountain Park is a charitable trust. As a result, if a person is bitten by a dog, the person can sue the dog owner, each Director of the WNCC and the Town. The Town and WNCC Directors are not exempt. He also mentioned that he has dogs in his yard all the time that come into his yard via the Park. Mr. Germani stated that the Directors have rules but can't enforce the rules. He also shared that the dirt bikes can be heard riding very early on Saturday mornings and go all day. He commented that the dog owners do not have control of their dogs. Mr. Germani stated that he used to take his dog to the Park but got attacked. He claimed that the Park is dirty. People do not pick up after their dogs. He advocated that if the Park has rules the rules need to be enforced. Mr. Germani felt that if the Use Guidelines are changed and open for interpretation than nothing will change.

Chairman Russell asked if anyone else had anything to add to the discussion. Mr. Swanson asked about the fee structure for the Park. There was comment about whether the WNCC organization was a non-profit or profit. A resident asked if residents had to pay a fee to attend a non-profit event. Ms. Plantier mentioned that the schools often charge fees for events. She pointed out that it's a standard practice. Ms. Plantier stated that the fee structure is to support the expenses to operate the Park.

Tom Reavey, of 270 Soule Road, informed that half the people in attendance are abutters. He wondered if there should be a meeting with abutters held to discuss the impact made by dogs or music. He claimed that if a resident is not impacted, it's because they are only impacted if they drive by the Park. He stated that there are a lot of young families in the area that do not attend meetings like this. However, there should be some type of forum where the Town brings together people who are impacted to discuss these issues or you will always have meetings with angry people.

Mr. Broderick asked Mr. Brady if there is a meeting, opened to the abutters, scheduled later this week at WNCC. Mr. Brady commented that WNCC is a private organization, which serves the community. He further added that he got a lot of good feed back tonight. However, he is not sure that WNCC can pull everything together in time to get everyone there later in the week. He did offer to have the WNCC Directors sit down with abutters at least. Chairman Russell commented that Mr. Brady had taken three pages of notes during this hearing.

Ms. Gurnick said that she wants everyone in this room to understand that the dog walkers want to partner with residents as neighbors. She stated that the dog walkers realize there are concerns. She shared that the last four years, the dog walkers have worked hard to improve those issues that cause concern. Ms. Gurnick stated that she loves Fountain Park; it's the best place in the world.

Chairman Russell announced that the Board of Selectmen will table this matter to a later date.

Materials referenced: Copy of the Motion for Article 3, dated May 1, 1995; Email, dated April 30, 2015, from Michael T. Hassett, Town Counsel, relative to Fountain Park; copies of MGL Chapter 175, Act of 1997 and MGL Chapter 143, Act of 1998; Letter, dated April 29, 2015, from Michael T. Hassett, Town Counsel; Fountain Park Use Guidelines; Proposed Fountain Park Use Guidelines as submitted by the Wilbraham Nature and Cultural Center; and Memo, dated May 1, 2015, relative to Fountain Park Use Guidelines, submitted by C. O. Gaumond, Administrative Assistant to the TA/BOS.

Public Hearing: Petition for Underground Electric Conduits – National Grid

Chairman Russell opened the hearing. It was discovered that no one was present representing National Grid. Chairman Russell stated that the hearing would be postponed as a result.

Jeffery Smith, of 1 Winterberry Drive, commented that the petition states that National Grid is putting electrical conduit under Bittersweet Lane and into Winterberry Drive. He informed the Selectmen that the power has gone out the past two winters in a row on Winterberry Drive. He clarified that the past year the power went out on Thanksgiving, just as the turkey went into the oven. He shared that National Grid tried to put conduit in the ground

but they couldn't pull the wires through. The wires in the ground are corroding and have not been replaced. According to Mr. Smith, there needs to be conduit put in the ground in the future to pull the lines through.

Another resident in the audience, who did not identify himself, mentioned that he spoke with a National Grid representative, who claimed the conduits would go under the driveways. He mentioned that National Grid really needs to clean up after them selves. Roger Fontaine, of 5 Winterberry Drive, commented that National Grid should not rip up any driveways. Discussion ensued.

Chuck Pelouze, of 3 Winterberry Drive, mentioned that he lost power four times; and contacted the Attorney General's Office as a result. Shortly thereafter, there were National Grid trucks appearing and replacing equipment and adding gel. National Grid claimed that the gel would correct the electrical problem in the area. Mr. Pelouze said that National Grid is out spraying lines as to where they will be cutting in the ground. Mr. Pelouze stated that he asked about whether or not this would damage in-ground water systems and shrubs. He is concerned that National Grid will install new lines and the neighborhood's power will be shut off in the interim. He wondered how National Grid is going to notify the neighborhood as to how long their power will be shut off for during this project.

Chairman Russell told the audience, particularly residents present for the hearing tonight, that when the Board reposts this hearing; the Board of Selectmen would look forward to seeing all the residents again.

Materials referenced: Email, dated April 15, 2015, from National Grid, regarding the Underground Electric Conduit at Winterberry Drive and Alder Lane; and Petition for Underground Electric Conduit at Winterberry Drive and Alder Lane as submitted by National Grid.

Annual Town Meeting Preparation Discussion – George Reich, Town Moderator, Beverly Litchfield, Town Clerk, Atty. Michael Hassett, Town Counsel and Daniel Miles, Chairman of the Finance Committee, Thomas Sullivan, Assistant Town Administrator of Budgeting and Finance/Treasurer/Collector; and other participants

Other people present for tonight's preparatory Annual Town Meeting discussion were Daniel Miles, Chairman of the Finance Committee; Sara Rossman, Paralegal to Town Counsel, Jeffrey Smith, Chairman of the Planning Board, Roger Fontaine, Chairman of the Police Station Building Feasibility Sub-Committee, and Martin O'Shea, Superintendent of Hampden-Wilbraham Regional School District.

Chairman Russell turned the discussion over to George Reich, Town Moderator. Mr. Reich informed that Warrant Article 57 is going to be a hot topic. Mr. Reich asked if the Town Meeting motions would be published prior to Town Meeting. He suggested that the motions should be published prior to Town Meeting. It was suggested that the motions be placed on the website for residents to view. Interim Town Administrator Sullivan agreed to do so. Town Clerk Litchfield asked the Moderator if he thought it would be a good idea to have any amendments prepared in writing. Mr. Reich stated that someone could prepare an amendment in advance after viewing the motions. Interim Town Administrator Sullivan clarified that the motions may have changing numbers; the dollar amounts may be subject to change.

Mr. Reich commented that he saw Administrative Assistant Gaumond's survey research on how other communities conduct their budget votes at Town Meetings. He commented that Departments can be read line by line or one line item budget. However, Mr. Reich prefers to see more detail. Administrative Assistant Gaumond mentioned that there are three options allowable to conduct the budget vote at a Town Meeting. She explained the options. Mr. Reich mentioned that Wilbraham has historically read the budget line by line. Nancy Johnson, Town Accountant, mentioned that the Town would have no control how a Department manages its budget if it was voted on by Department. Chairman Russell deferred to the Town Moderator's judgment on this issue. Mr. Reich inquired about the budget for the school district and middle school discussion. Superintendent O'Shea deferred to the Board of Selectmen about that part of the Fiscal Year (FY) 2016 budget. Town Clerk Litchfield mentioned that it was outside the scope of the Article. Superintendent O'Shea informed that the combined situation at the middle school level would resolve the School District's financial issues.

Mr. Reich inquired about the police station Article presentation. Mr. Fontaine responded that the presentation would be about ten to fifteen minutes long. He shared that the Sub-Committee had done a number of educational forums and open houses to address questions about the project. These various presentations were to minimize questions after the Sub-Committee's presentation at Town Meeting. Mr. Reich confirmed that the Article will require a two-thirds vote in order to pass.

He then asked who was presenting the three zoning articles. Jeffrey Smith, Chairman of the Planning Board, stated that Tracey Plantier, Planning Board member, Tonya Basch, Assistant Town Engineer, and himself would be presenting the Articles.

Mr. Reich then asked if Peter Manolakis, Chairman of the Community Preservation Committee, would be fielding questions at Town Meeting relevant to the Community Preservation Act (CPA) Articles. Mr. Manolakis stated yes; and explained that he would be situated on the right side of the stage and will accompany the project owners who will present. Town Clerk Litchfield stated that she would need assistance to cover the stage when the Town Clerk's CPA Article comes up. Mr. Manolakis offered to cover Town Clerk Litchfield's CPA Article presentation for her.

Mr. Reich asked if there would be exhibits for Article 53 and 54. Interim Town Administrator Sullivan stated that all exhibits will be available to the residents at Town Meeting. Mr. Reich then asked if the high school was booked for the Town Meeting. Administrative Assistant Gaumond stated yes; and confirmed that the auditorium was also booked for the next night, too, in the event the Meeting runs over to a second night. Chairman Russell asked if Town Counsel wanted to add anything. Michael Hassett, Town Counsel, stated no. Chairman Russell thanked all parties for attending. The discussion concluded.

Materials referenced: Letter, dated April 29, 2015, relative to Article 7 of the Annual Town Meeting Warrant; and Survey of City and Town Budgetary Votes at Town Meeting as submitted by C. O. Gaumond, Administrative Assistant to the TA/BOS.

Human Resource/Personnel Matters – Herta Dane, Human Resource Coordinator

- Approval of New Job Description, Title and Grade Placement for the Union Position in the Accounting Office

Coordinator Dane and Nancy Johnson, Town Accountant, joined the Selectmen at the front of the room. Coordinator Dane explained that there is a new position in the Accounting Office as a result of the new Town Accountant and Assistant Town Accountant being hired. She explained that the vacant position has slightly changed. It was originally a grade 8 but because of the changes to the Staff Accountant position, it is now a grade 7. International Union of Operating Engineers (IUOE) Local 98 agreed with the position's changes. Town Accountant Johnson explained that the position will be responsible for accounts payable and conducting internal audits.

Chairman Russell asked how lowering the grade level of the position makes this a better position. Town Accountant Johnson explained the duties in the Accounting Office, including how the Staff Accountant position will benefit the Office, etc. Coordinator Dane also commented that the position will help in following the suggestions from the Auditors. For example, the auditors suggested having two employees handle the payroll system. One employee would be charged with the task of setting up new employees in the payroll system, and the other employee would be charged with managing the payroll system. Discussion ensued about how the payroll system works. Chairman Russell asked if the Department of Public Works was on bi-weekly payroll yet. Interim Town Administrator Sullivan informed that the Town has negotiated bi-weekly payroll with the unions but only the Police Union is agreeable at this time. Selectman Bunnell asked if there was any likelihood that the position would not need to be a full time position. Town Accountant Johnson was not sure how it would work out yet. Interim Town Administrator Sullivan commended the idea of the Staff Accountant performing surprise audits throughout the year to ensure safety of the Town's finances. Town Accountant Johnson stated that the Accounting Office staff are all rearranging position responsibilities and duties. Selectman Bunnell asked if the Police are paid on a bi-weekly basis. Town Accountant Johnson stated no. Selectman Bunnell asked if there was a reason why you wouldn't do it. Interim Town Administrator Sullivan explained why.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the job description for the position of Staff Accountant dated April 21, 2015; and approve placement on Grade 7 of the union pay scale for clerical employees. Approved 3-0.

Materials referenced: Memo, dated April 21, 2015, submitted by H. Dane, Human Resource Coordinator, relative to the reorganization of the Accounting Office.

- Approval of hire requests: 1 Staff Accountant ; 1 Assistant Mechanic and 1 Heavy Equipment Operator

Chairman Russell explained that there are some vacant positions to be filled in Town. Coordinator Dane explained that the Assistant Mechanic position was posted in-house. It is an opportunity for an internal promotion, which may

require the Department needing two Heavy Equipment Operators instead of one position. She then asked the Board to consider approving two positions should a promotion occur. The Board agreed.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the hire for the positions of 1 Staff Accountant, 1 Assistant Mechanic and up to 2 Heavy Equipment Operator effective immediately. Approved 3-0.

Materials referenced: Authorization to Hire forms for Assistant Mechanic and Heavy Equipment Operation; and Email, dated May 4, 2015, from H. Dane, Human Resource Coordinator, relative to the Department of Public Works hire requests.

- Approval of Policies:
 - Domestic Violence Leave

Coordinator Dane explained to the Selectmen that there is a new law, M.G.L., Chapter 149, Section 52E relative to domestic violence, which requires an employer with more than fifty employees to provide leave to an employee for the purpose of a domestic violence situation. According to Coordinator Dane, the policy defines domestic violence and family members covered under the law. She stated that it's similar to the Family Medical Leave Act (FMLA) whereas it's an unpaid leave. She further added that the Personnel Board suggests that paid leave can be utilized under this leave but when the paid leave time is exhausted then the leave is considered unpaid leave. According to Town Counsel, Coordinator Dane points out, this is legally acceptable. She further explained that the law requires employees use paid, vacation or sick leave prior to using unpaid leave under this category. Coordinator Dane recommended that the Board of Selectmen approve the policy as written or approve the policy but alter it so use of paid leave time is not required. Chairman Russell verbally expressed wanting to think about this policy for a little bit before making a decision. He stated that he was not comfortable making a decision tonight. The other Selectmen agreed. The matter was tabled.

Materials referenced: Memo, dated April 23, 2015, from H. Dane, Human Resource Coordinator, relative to the Domestic Leave Policy.

◦ Parental Leave

- Acceptance of Elaine Wrubel's Retirement

Coordinator Dane announced that Elaine Wrubel, an employee at the Public Library since 1991, is retiring. As a result, the Board will have to accept Ms. Wrubel's retirement notice. Chairman Russell informed that the Board will miss Ms. Wrubel. A motion was made.

MOTION: Made (Boilard) and seconded (Bunnell) to accept the retirement of Elaine Wrubel, Children's Librarian, and effective October 30, 2015. Approved 3-0.

Materials referenced: Memo, dated April 21, 2015, from H. Dane, Human Resource Coordinator, relative to the retirement notice of Children's Librarian Elaine Wrubel; and letter, dated February 24, 2015, from E. Wrubel, Children's Librarian, relative to notice of retirement.

OPEN SESSION

Town Administrator's Report

Interim Town Administrator Sullivan informed that Edmond Miga, Town Engineer/Director of Department of Public Works, was going to Boston to advocate for monies to fix the Red Bridge. Chairman Russell asked Chief Tucker, who was sitting in the audience, if the closed bridge was causing any issues. Chief Tucker responded that there has been an increase in traffic in the area as a result.

Interim Town Administrator Sullivan also shared that he had communication with the owner of the former Belli's Restaurant property. The owner wants to give the property to the Town rather than go into foreclosure. Interim Town Administrator Sullivan explained that the Town can not accept the property. The Town will proceed with foreclosure on the property. According to Interim Town Administrator Sullivan, the property owner is not objecting.

Board of Selectmen Updates

Selectman Bunnell mention that tomorrow at The Gardens of Wilbraham there will be a "Meet the Candidates" forum. She encouraged all who could attend to attend. Selectman Bunnell also informed that the Middle School Taskforce is recommending that residents go to the Hampden Wilbraham Regional School District's website to see

facts about the schools and documents of importance. She described the spreadsheet found on the website, which identifies each of the concerns that exist at the middle school level, such as social and capital needs, class size and buildings. Selectman Bunnell provided further information on the status of the Middle School Taskforce's work.

Citizens Open Forum

Robert Grove, Wilbraham resident, shared that he was at the most recent Senior Center Building Feasibility Sub-Committee meeting. He said that at the meeting, Dennis Lopata, Chairman of the Sub-Committee, stated that the Sub-Committee was in agreement to build a senior center at Fountain Park. Mr. Grove wanted to know where the Board of Selectmen stands on this matter; and is the Board in favor of the senior center being at Fountain Park. Chairman Russell stated that he would not comment on it now without hearing from the Senior Center Building Feasibility Sub-Committee first. Mr. Grove recommended that the Selectmen, if the Selectmen do not approve of the senior center at Fountain Park, inform so because it would save the Sub-Committee a lot of time. Selectman Boilard wondered if Mr. Fountain wanted Fountain Park used for a senior center. He verbally expressed that the Sub-Committee needs to explore other possibilities. Selectman Boilard stated that the Senior Center Building Feasibility Sub-Committee has not yet approached the Board of Selectmen about this proposal. He stated that he would not want to see a senior center at Fountain Park; and there has to be other alternatives. Selectman Boilard wondered why the Sub-Committee was not looking at regional options. He stated that when he drives by the Hampden Senior Center, there seems to be no one in the parking lot. Selectman Boilard wondered aloud why the Town would be against regionalization. He also indicated that there may be school buildings opening up in the future. There are many options. Selectman Boilard expressed that he wanted to see the Senior Center Building Feasibility Sub-Committee's report. Mr. Grove stated that this issue is coming down the line. Discussion ensued.

Chairman Russell informed that the Board of Selectmen created two Building Feasibility Sub-Committees and appointed a person to both Sub-Committees to be the go between that could keep the Board of Selectmen informed of the Sub-Committees' progress. He noted that it was the Board's intention that the projects would not compete with each other. For this reason, each Sub-Committee takes its natural course. Chairman Russell announced that the Board would not take a position or vote on this matter because it would supersede the Sub-Committee's work/charge. Selectman Bunnell suggested inviting the Senior Center Building Feasibility Sub-Committee to attend a Selectmen's meeting and provide an update.

David Sanders, resident, mentioned that the "Meet the Candidates" night at The Gardens of Wilbraham will be on May 5. He also mentioned that there is an education forum scheduled on Wednesday, May 6 at The Gardens of Wilbraham as well. The Speaker will be Jamie Gass from the Pioneer Institute.

Suzanne McLaughlin, reporter from the Springfield Republican, asked if the Fountain Park Use Guidelines will be taken up at Town Meeting. Chairman Russell responded no. He explained what the Article, relative to Fountain Park, is, which would be taken up at Town Meeting. Mr. Groves asked if this Article was passed, would it set a precedent for using Town monies for private organizations. Ms. McLaughlin asked if the Fountain Park Use Guidelines were already in place. Interim Town Administrator Sullivan answered both questions.

Mr. Sanders suggested setting up a chart for budget points. Interim Town Administrator Sullivan clarified that Mr. Sanders wants to see the financial impact of every project scheduled to occur in the next thirty to forty years. Selectman Boilard wondered how one could lay that information out in a chart. He explained that the Town has basic knowledge of Capital Planning projects. Selectman Bunnell added to the discussion. Selectman Boilard added that it would be difficult to project out so far because it's a moving target. Selectman Bunnell further added that the Town could not target anything with real cost that far ahead. Selectman Boilard proposed that the best thing to do was to create a project layout to illustrate the impact on taxpayers. Interim Town Administrator Sullivan expressed wanting to see a wish list of what each Department needs or wants. It was suggested that a Project Study Committee could be created to conduct a study on this matter.

Selectman Bunnell clarified what the vote, relative to Fountain Park, at Town Meeting would be about.

OLD BUSINESS

Approval of the Amendment to the Cafeteria Plan Document

NEW BUSINESS

Request for Transfer from the Reserve Fund – Fire Department

Chairman Russell announced the next agenda item. Interim Town Administrator Sullivan explained that there was a rodent problem at the tower where the Town's Fire Department radio equipment was. The rodents ate through the radio equipment. The request for a transfer from the Reserve Fund was to repair the equipment. Selectman Bunnell asked if the radio equipment was being replaced or repaired. Administrative Assistant Gaumond referenced the Transfer Request form to respond to Selectman Bunnell's question. She also pointed out that the Finance Committee already approved this request.

MOTION: Made (Boilard) and seconded (Bunnell) to recommend the transfer of \$6,300 from the Reserve Fund to Fire Expense Account 220-5205 for expenses associated with repairing damages to radio equipment located in a remote location on Ridge Road caused by animal infestation. Approved 3-0.

Materials referenced: Request for Transfer from the Reserve Fund form, dated April 13, 2015, submitted by Chief F. Nothe, Fire Department.

Approval of the Amendment to the Hot In Place Asphalt Recycling Contract with Highway Corp.

Selectman Boilard asked how the *Hot In Place* process was working. Interim Town Administrator Sullivan responded that the Town has used the process for the past two years. Chairman Russell mentioned that the biggest complaint was that the trees along the roadways were burnt by the process; however, all the trees have since grown back.

MOTION: Made (Boilard) and seconded (Bunnell) to amend the existing contract for "Hot in Place Asphalt Recycling 2014," between the Town of Wilbraham and Highway Rehab Corporation, dated June 3, 2014, by exercising a contract option to extend the contract to July 1, 2015. Approved 3-0.

Materials referenced: Contract Amendment between the Town of Wilbraham and Highway Rehab Corporation, dated June 2, 2014, as submitted by T. Basch, Assistant Town Engineer.

Approval of the Extension of the Lease Agreement between the Town of Wilbraham and the Roman Catholic Bishop of Springfield for 310 Main Street (Memorial School)

Chairman Russell announced that the Diocese of Springfield is exercising an option in their contract with the Town to continue leasing Memorial School as a location for Cathedral High School until June 30, 2016. He also mentioned that if the Diocese wishes to lease the building beyond June 30, 2016, the Board would have to re-negotiate a lease following a procurement procedure. He then asked if there were any questions. Hearing none, a motion was made.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the extension of the Lease Agreement between the Town of Wilbraham and the Roman Catholic Bishop of Springfield for leasing 310 Main Street (Memorial School) for one year, from July 1, 2015 until June 30, 2016, as allowed under section 2 of the said Lease Agreement. Approved 3-0.

Materials referenced: Letter, dated April 22, 2015, from B. John Dill of Colebrook Realty Services, Inc., regarding the Lease Agreement between the Town of Wilbraham and Roman Catholic Bishop of Springfield for 310 Main Street.

LICENSING AND OTHER APPROVALS

Application relative to Charitable Walking, Running or Racing Event – Minnechaug Land Trust

Chairman Russell announced the next agenda item. He asked if this was a new event. Administrative Assistant Gaumond stated that this was not a new event. The event was held successfully last year.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the use of public sidewalks and roads for a 5K race to benefit Rice Nature Preserve Maintenance Fund, scheduled for June 13, 2015, from 8:00am to 10:00am, on and along Main Street, Tinkham Road, Rochford Drive, Longview Drive, Brentwood Drive, Sawmill Drive, Ruth Drive and Pidgeon Drive, sponsored by the Minnechaug Land Trust; and forward the event notice to public safety officials for a public safety review. Approved 3-0.

Materials referenced: Application relative to Charitable Walking, Running or Racing Event submitted by Minnechaug Land Trust.

Request for Use of Public Property – 5k Road Race/Walk – Margolis Orthodontics

A motion was made.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the use of public sidewalks and roads for 5K race and walk event, scheduled for October 25, 2015, from 8:00am to 12:00pm, on and along Crane Park Drive, Burt Lane, Main Street, Faculty Street, Springfield Street, Ripley Street and Pomeroy Street in Wilbraham; and forward the event notice to public safety officials for a public safety review. Approved 3-0.

Materials referenced: Request for Use of Public Property as submitted by Margolis Orthodontics.

MINUTES OF MEETINGS

March 2, 2015

March 2, 2015 executive session

March 16, 2015 executive session

March 30, 2015

April 6, 2015

April 6, 2015 executive session

April 13, 2015 executive session

April 28, 2015

April 28, 2015 executive session

March 16, 2015 executive session

April 13, 2015

March 7, 2015

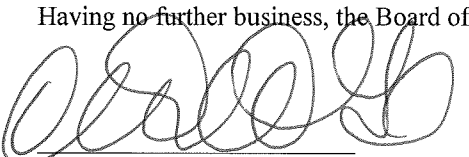
March 16, 2015

Chairman Russell asked for a motion. A motion was made.


MOTION: Made (Boilard) and seconded (Bunnell) to except the minutes of March 2 and 30, 2015; and April 6 and 28, 2015; and the executive session minutes of March 2 and 16, 2015, and April 6, 13 and 28, 2015 as submitted. Approved 3-0.


Materials referenced: Draft minutes of March 2 and 30, 2015, and April 6 and 28, 2015; and the draft executive session minutes of March 2 and 16, 2015, and April 6, 13, and 28, 2015 as submitted by C. O. Gaumond, Administrative Assistant to the TA/BOS.

Having no further business, the Board of Selectmen adjourned at 9:11pm.


Candace Ouillette Gaumond
Administrative Assistant to the TA/BOS


Robert W. Russell, Chairman


Robert J. Boilard, Vice Chairman


Susan C. Bunnell, Clerk

